

# Steps in a Eviction Case

## A Problem Arises

- Rent is not paid.
- Lease is violated.
- The tenant breaks certain laws on property.
- The landlord does not want to continue month-to-month lease.

## Landlord Sends Notice to Quit

- The landlord gives tenant a document called a Notice to Quit.
- The tenant has a certain number of days to fix the issue or move. The landlord must wait.
- The length of the notice period (time the tenant has to fix the problem or move) depends on what the problem is.

## Landlord Files Eviction Case

- Once the notice period ends, the landlord can file an eviction case (called a Forcible Entry and Detainer case) in court against the tenant.
- Court date is set.
- The tenant is served a Summons.

## Possession Hearing

- The first step of the formal eviction process is the possession hearing.
- This hearing is ONLY about whether or not the tenant moves out.
- The landlord must prove that they met the legal requirements.
- The tenant has an opportunity to present defenses.

## Court Decision/Enforcement

- If the Court agrees with the landlord, then it will grant a Judgment for Possession and order the tenant to move out by a particular date.
- If the tenant has not moved by then, the landlord can use a Writ of Assistance to get the police to help.

## Answer

- The tenant can respond to the landlord's claims by filing an Answer.
- If the tenant does not respond, the landlord may receive a default judgment, which means the judge orders what the landlord asks for without hearing the tenant's side of the story.

## Damages Hearing

- The second step of the formal eviction process is the damages trial.
- At the trial, the parties present evidence and the judge will decide how much money each person owes to the other.